

### REMARKS

The claim rejections under §112 and 102 presented in the previous Office Action have been withdrawn, and claims 1-20 are now rejected under §103(a) as being allegedly unpatentable over Leleu U.S. Patent No. 6,088,687 in view of Uzo U.S. Patent No. 6,938,019.

1. Uzo

Uzo discloses a method and apparatus for making secure electronic payments. The method allows a Merchant to increment or decrement a token provided by a customer in order to charge for some goods. In order to achieve this, Uzo proposes to use Decrement or Increment keys. Those keys are provided on demand of the Merchant, by the Clearing House. The Customer can thus buy a Token from a Clearing House without having to know in advance what he/she wants to purchase and at what priced.

2. Leleu

Leleu, U.S. Patent No. 6,088,687, in fact has proposed a different means to do so. In the Leleu proposal, a Token contains a set of units that can be independently removed or added from the Token and that can be monetized at any point in time. These units can be thought of as Tokens of basic values (dollar, cents) which can be combined to form a price. Each of these tokens can be claimed by anyone against the Clearing House, and they are designed in such a way that they can be used only once.

In a second aspect of his proposal, Leleu is suggesting to include his Token in the data packets sent over a network. Each stakeholder in the transport and delivery of the good can then get his share of the price. Unused tokens are sent back to the user.

We can thus see that the notion of modifying the Token value is already included in Leleu. However, the way Leleu suggested to send the Token inside the header of the “internal” traffic (for transparency purposes) poses a problem with equipment such as Firewalls or Caches which are not aware of those Tokens. Hence Applicant’s proposal enhances the Leleu system with debit Gateways, which in effect take over the role of network equipment not capable of operating in such an environment.

Neither Leleu nor Uzo disclose or make obvious such an enhancement. Further, it would not have been obvious for a person of ordinary skill in the art to try such an enhancement in view of Leleu and Uzo or to combine Leleu and Uzo since the system and procedure according to Leleu do not at all work as the ones in Uzo.

As already explained, the Token in Leleu contains a lot of Units equivalent to monetary units where each can be validated irrespective of the others (like coins and notes). In this way, it is always possible to add or remove units. Contrary to that, in Uzo, the token contains a written defined value. The only way to change anything consists in using a set of keys, the Decrement or Increment keys.

Due to such differences, it is unclear how the two could be combined to arrive at the process and system recited in Applicant's claims.

Applicant therefore respectfully requests that the rejection of claims 1-20 under §103(a) be withdrawn.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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